

U.S. Patent Application No. 09/428,228  
Submission dated June 1, 2004  
Reply to Office Action dated May 25, 2004

**Amendments to the Drawings:**

The attached sheets of drawings include changes to Figs. 1-X. These X sheets, which include Figs. 1 – X replace the original sheets including Figs. 1- X. In Figs. 1-X, all figures have been converted to formal.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

**REMARKS**

Claims 26 and 28-43 are pending.

Claims 26 and 28-43 stand rejected.

Claims 26, 32-36 and 4-43 have been amended.

No new matter has been added.

Claims 26 and 28-43 are hereby submitted for reconsideration.

In paragraph one of the Office Action, the Examiner has objected to the figures because they are informal. Applicant has amended all of the figures into formal figures and respectfully requests that the objection to the figures be withdrawn.

In paragraphs 4-10 of the Office Action, the Examiner has rejected claims 26, 32-36, 42 and 43 for containing various informalities and having elements lacking antecedent basis. Applicants have amended these claims accordingly and respectfully request that the rejection of these claims be withdrawn.

In paragraph 12 of the Office Action, the Examiner has rejected claims 26, 29, 31, 34-35 and 40-41 under 35 U.S.C. § 103(a) as being unpatentable over Kita (U.S. Patent No. 6,112,054) in view of Pequignet (U.S. Patent No. 5,631,879).

Applicant disagrees with the Examiner's contentions and submits the following remarks in response.

The present invention as claimed in independent claim 26 is directed to a wrist-mounted communication device for attaching to a wearer's wrist. The device includes an antenna system having at least a first section coupled to the device and configured to transmit and receive communication signals. The device has an openable cover and the

antenna system has a biasing mechanism where the openable cover of the device holds the first section of the antenna system within the communication device in a horizontal plane position when the device is not in use by a user. The biasing mechanism, when the openable cover is opened, automatically releases the first section of the antenna system out of the communication device to a desired position away from said horizontal plane when the device is in use by the user.

As illustrated in Figs. 15(a) and 15(b), and as described in the accompanying description on pages 32 and 33 of the specification, at least one embodiment of the present invention calls for a communication device having an antenna system. The first section of the antenna system, such as element 58 in Figs. 15(a) and 15(b) is coupled to the communication device 18a. The device has an openable cover such as the expanding keypad 18(b) shown in Fig. 15(b). Cover 18b holds the antenna system within the communication device. When cover portion 18b is opened, a biasing mechanism automatically releases the antenna system out of the communication device to a desired position away from the horizontal plane when the device is in use by the user.

Here the antenna element is completely hidden when the cover is closed. When the user desires to use the communication device, the user can simply open the cover (keypad 18b) and the antenna system 58 automatically positions itself outside of the communication device. Such an arrangement is not shown in either of the prior art references either alone or in combination with another.

The primary reference, namely Kita, shows a wrist worn device in Figs. 30 and 31, used for personal location functions. The device maintains an antenna 142 that is included in a display section 118. This antenna 142 appears fixed in position within

display 118. The accompanying description in the specification cited by the Examiner does not elaborate on the housing of the antenna other than to suggest that it assists in communications with a satellite. The Examiner also cites to the Pequignet reference, but only to show that biasing mechanisms may be used to spring activate a cover away from a watch face.

However the Kata reference does not teach or suggest a device with an openable cover *with an antenna system that has a biasing mechanism* where the openable cover of the device holds the first section of the antenna system within the communication device in a horizontal plane position when the device is not in use by a user. Unlike Kata, the present invention maintains a biasing mechanism *that biases the antenna, not a cover*. Such a system is not shown in Kata. Furthermore, even if the biasing mechanism of Pequignet was added to the Kata device, the resulting structure would simply allow the upper display section 118 of Kata to be automatically biased away from the main portion 151 of the device. However, such a combined device still would not teach or suggest the antenna having a biasing mechanism.

Furthermore, neither the Kata reference nor the Pequignet reference, either alone or in combination with one another, teach or suggest an arrangement where the biasing mechanism, when the openable cover is opened, *automatically releases the first section of the antenna system out of the communication device* to a desired position away from said horizontal plane when the device is in use by the user. First, the antenna of Kata does not release *out of* the device. Secondly, even if the Examiner were to contend that it does, it is not because of the biasing mechanism of the antenna.

Third, the antenna of Kata is not released *by a biasing mechanism, upon the*

*opening of a cover*. Thus, even if the Examiner were to combine the Pequignet biasing mechanism directly to the antenna of Kata, which there is no suggestion to do in the first place, it would still not be a biasing mechanism that releases the antenna upon the opening of the cover, as the antenna in Kata is attached to the cover itself.

As such, Applicant respectfully submits that the cited prior art does not teach or suggest the invention as claimed in independent claim 26 and respectfully requests that the rejection of this claim be withdrawn. Also, as claims 28-43 depend from independent claim 2, these claims should be allowed for the same reason.


In view of the foregoing, Applicant respectfully submits that the present invention as claimed is now in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that a telephone interview would advance the prosecution of this application they are invited to contact the undersigned at the number listed below.

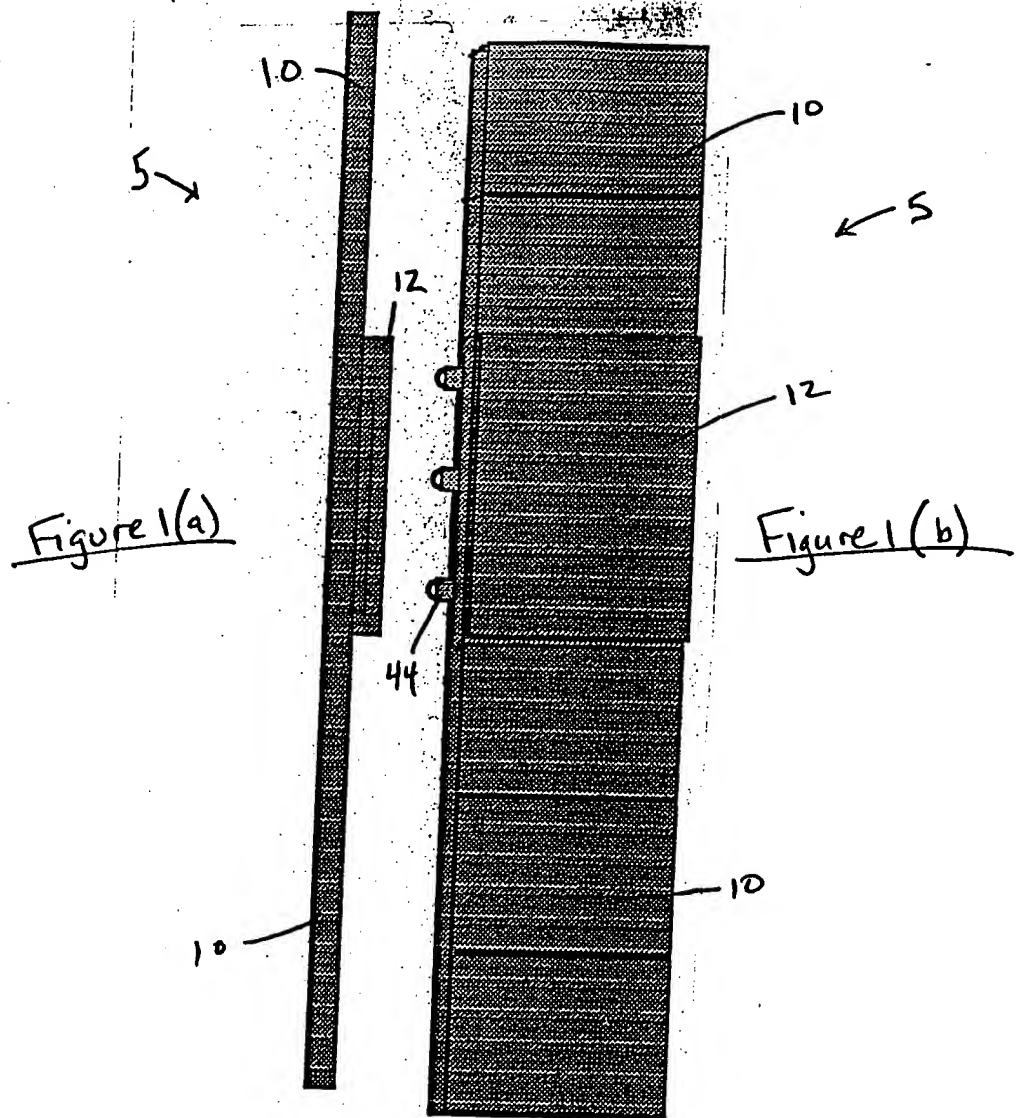
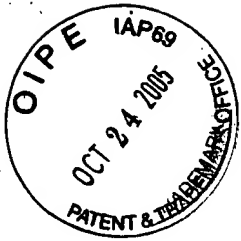
Respectfully submitted

SOFER & HAROUN, LLP

Dated: 10/21/05

By:

  
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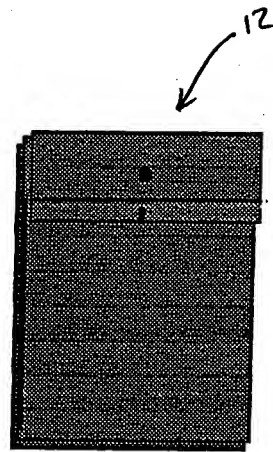


Fig. 2(c)

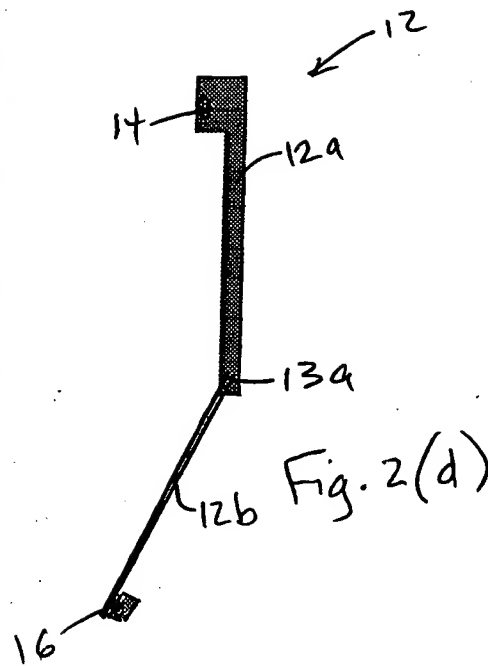


Fig. 2(d)

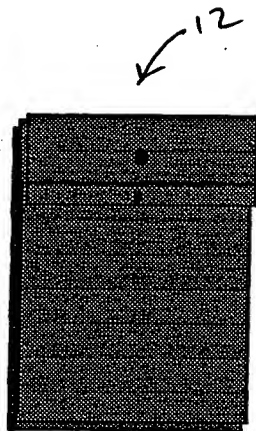


Fig. 2(e)

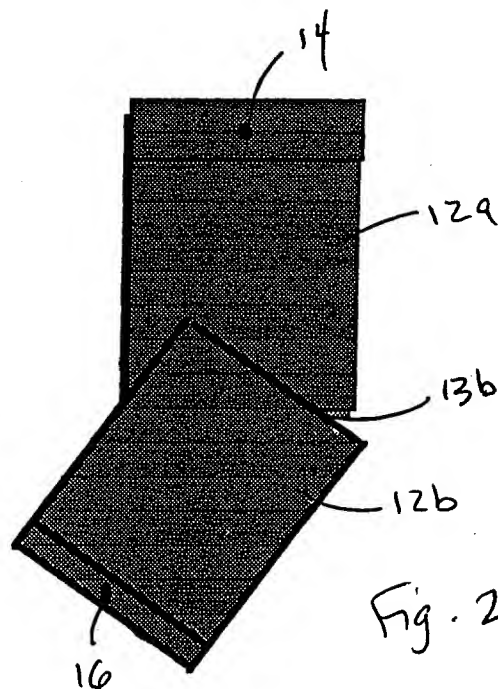


Fig. 2(f)

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Figure 2(a)

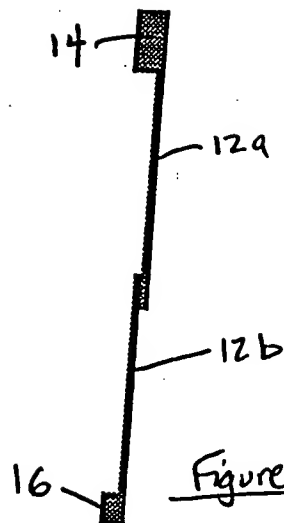
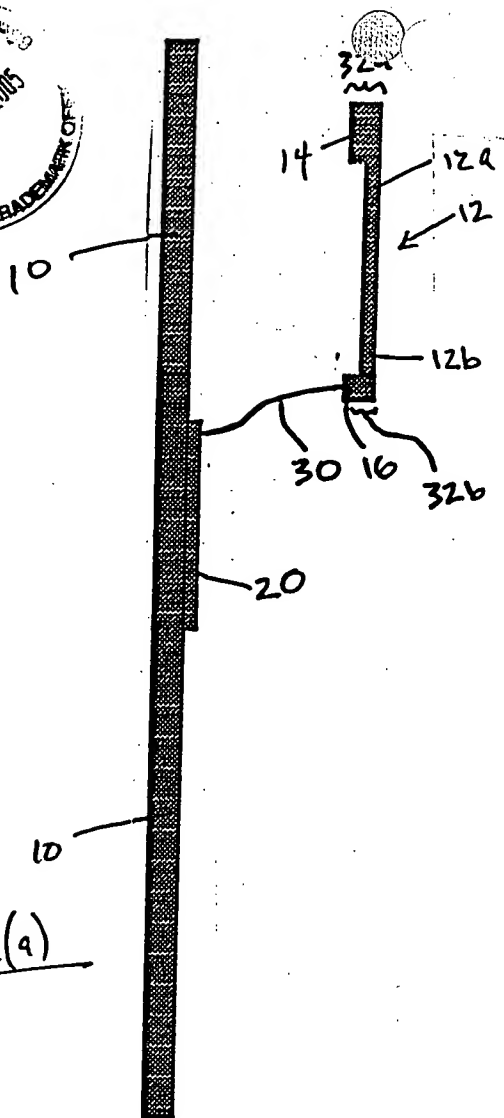


Figure 2(b)

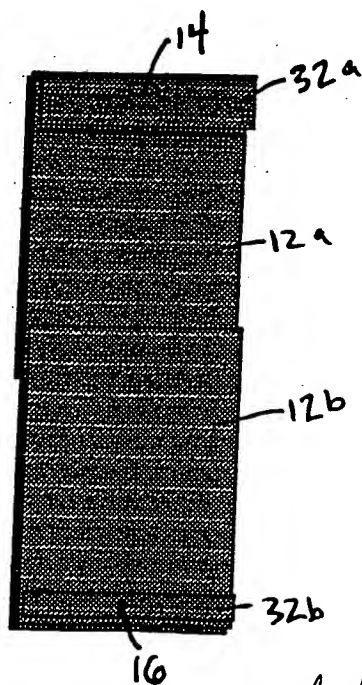


Figure 3(b)

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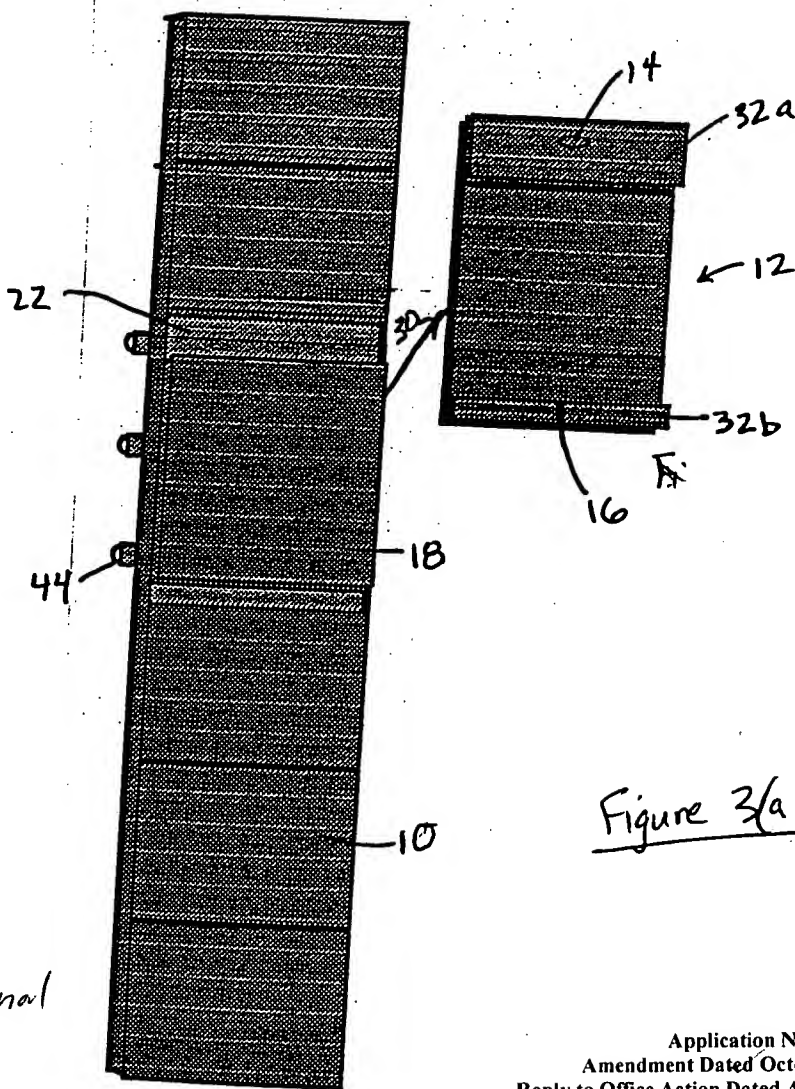
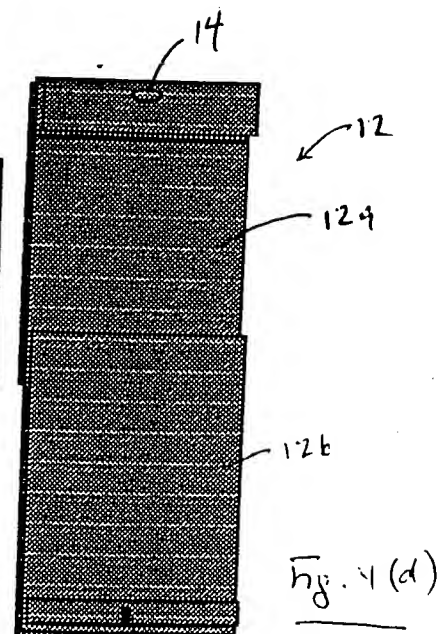
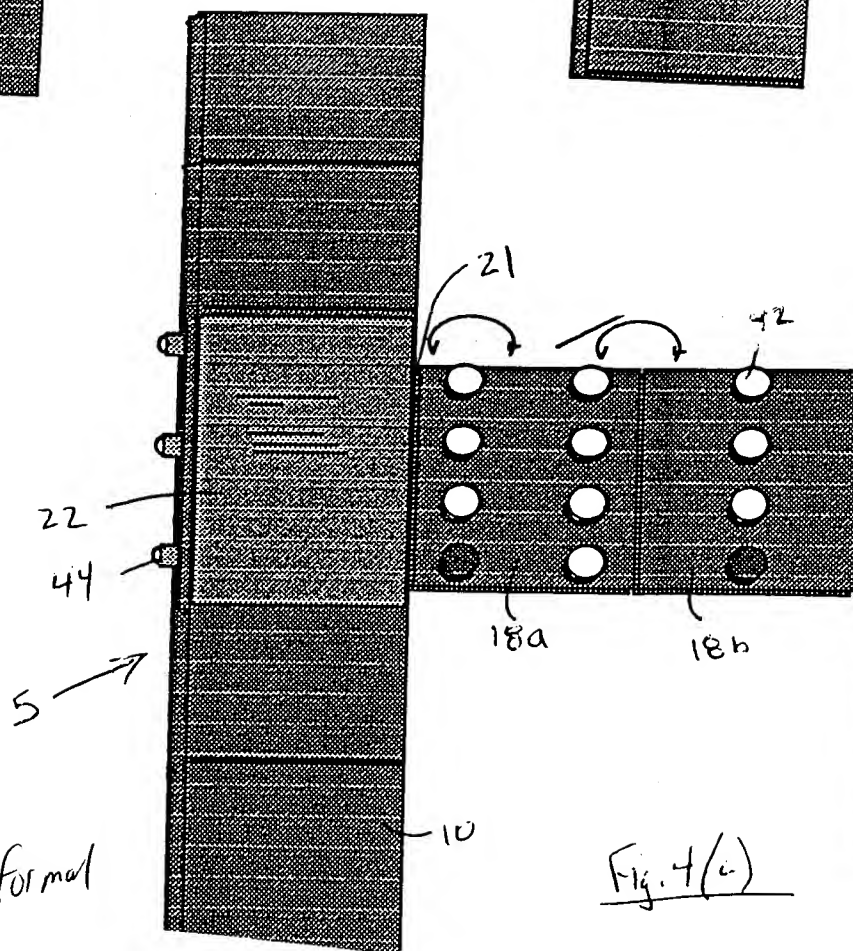
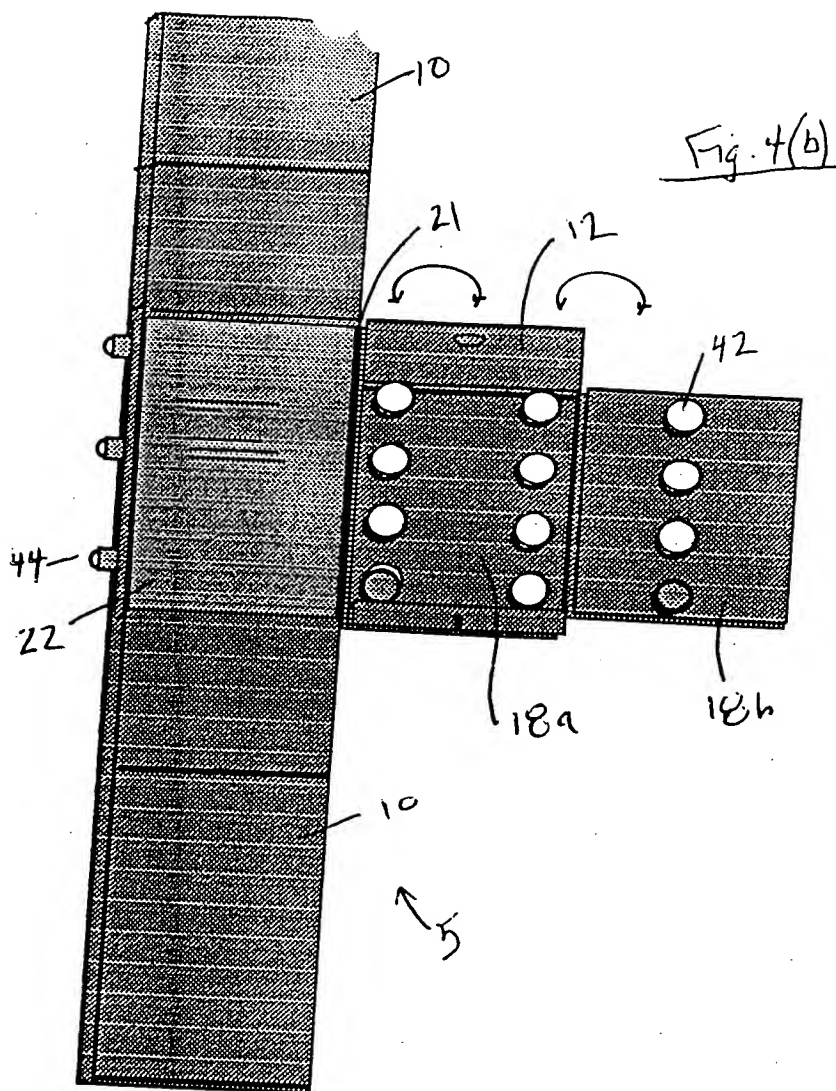
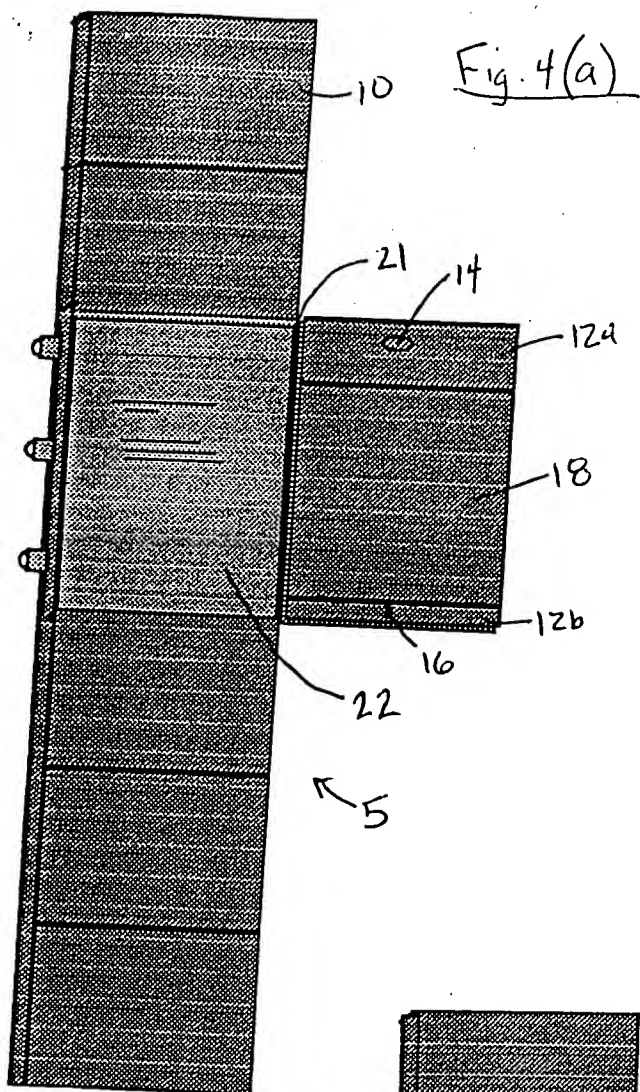
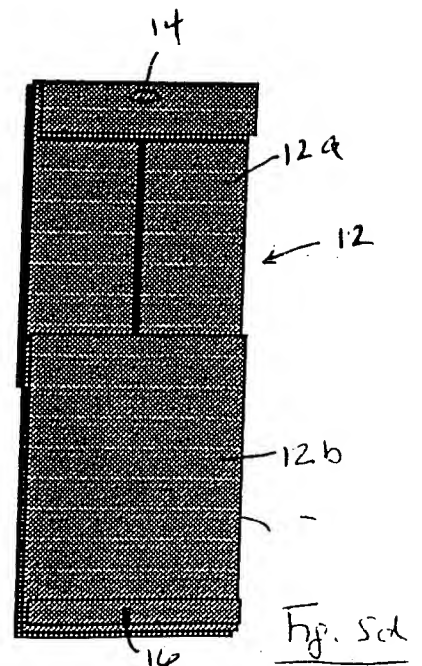
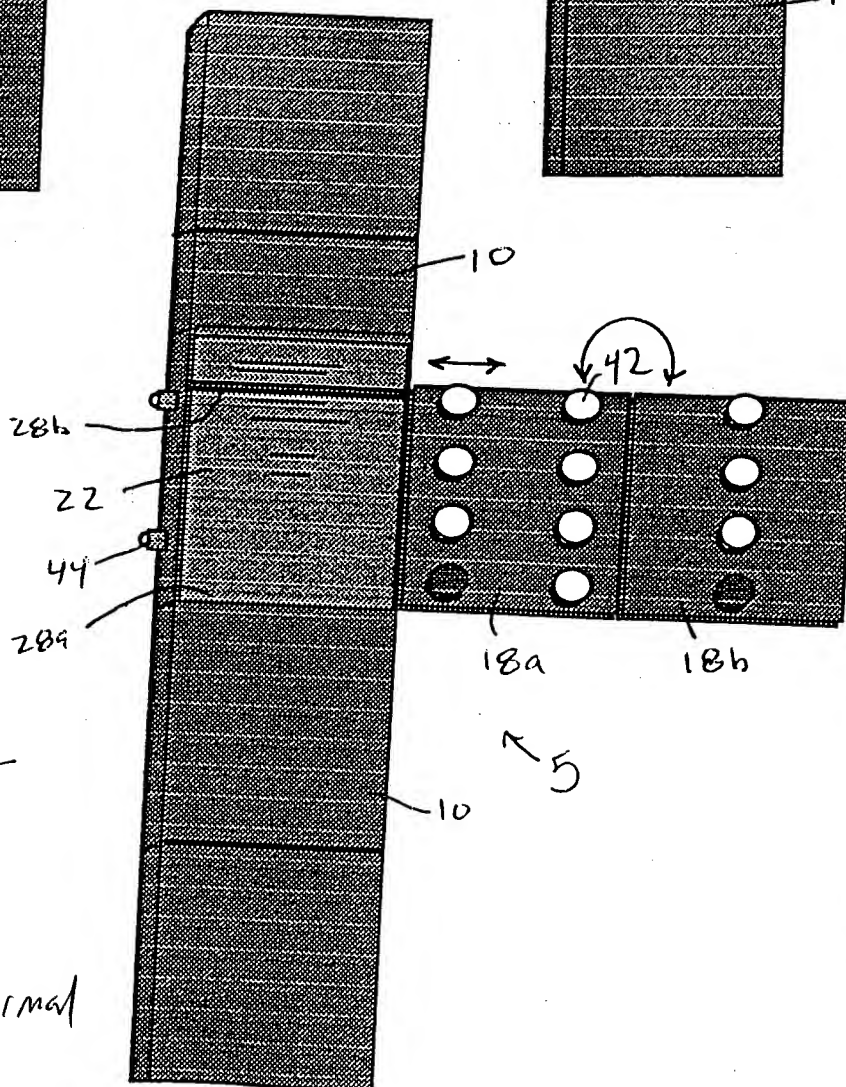
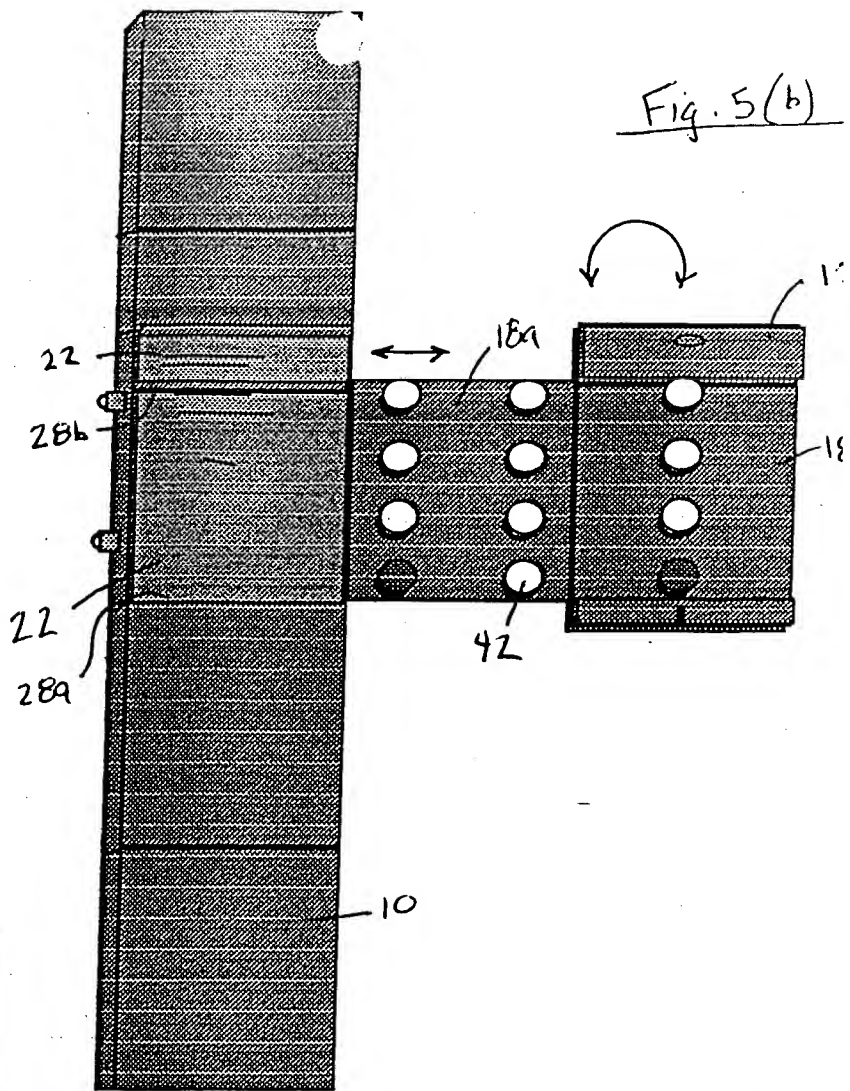
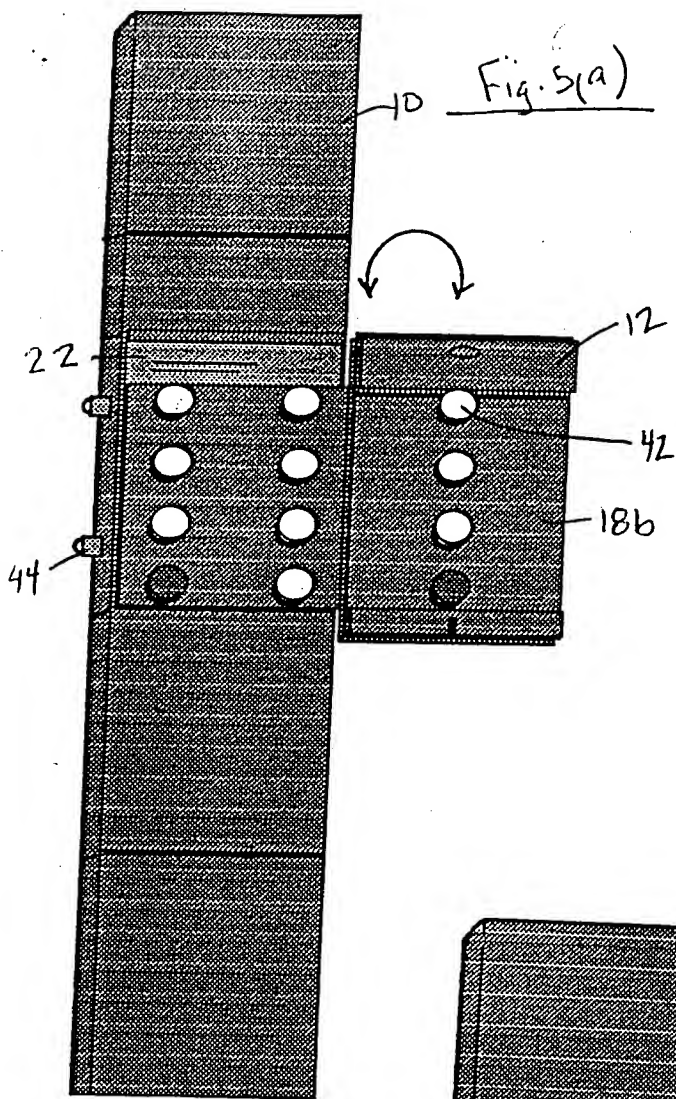


Figure 3(a)





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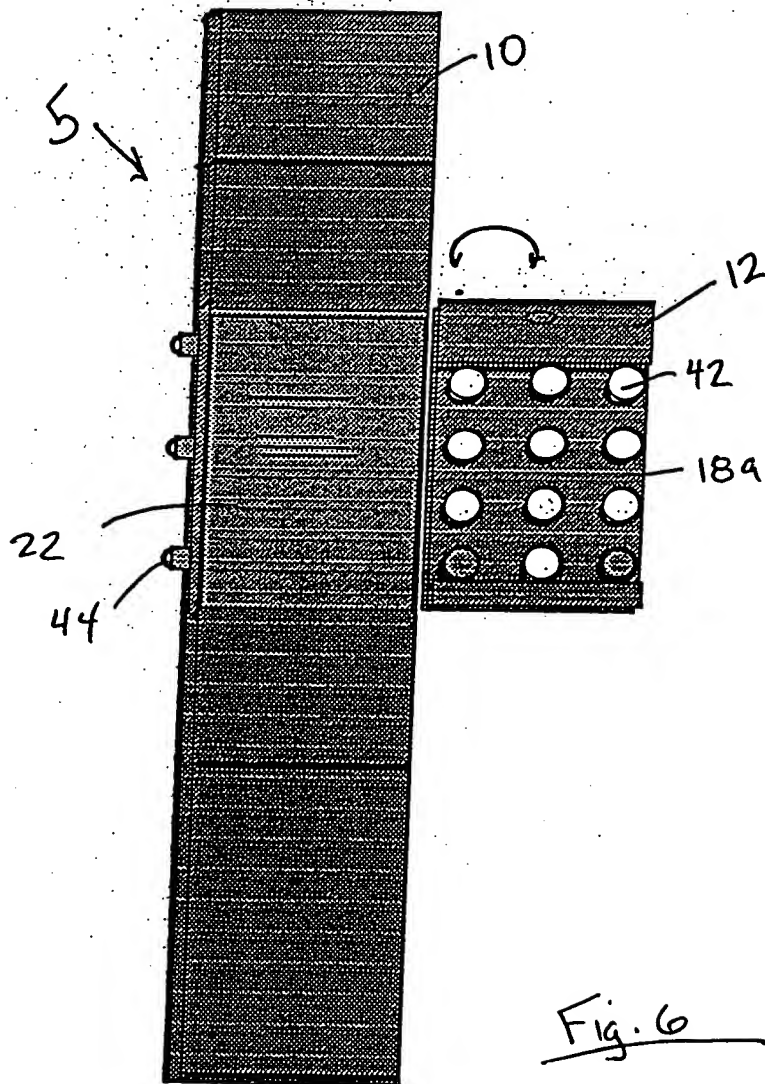


Fig. 6

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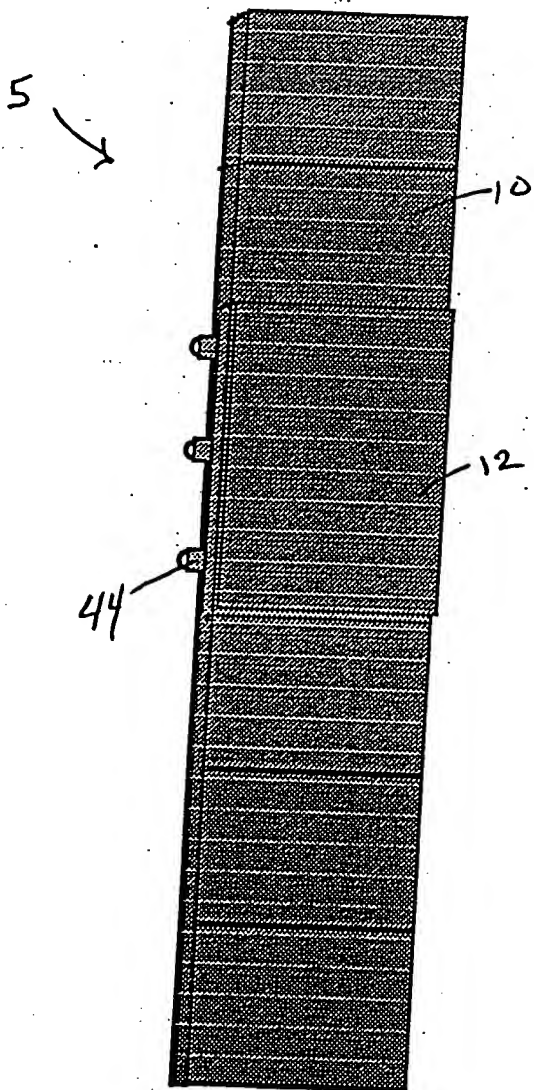


Fig. 7(a)

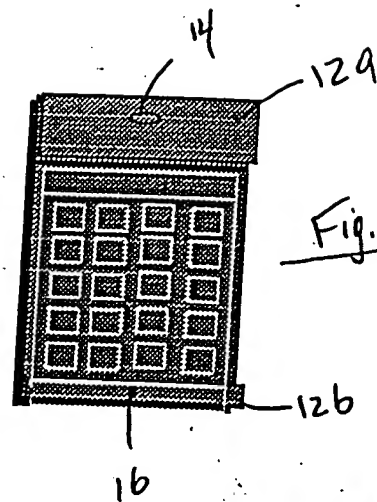


Fig. 7(b)

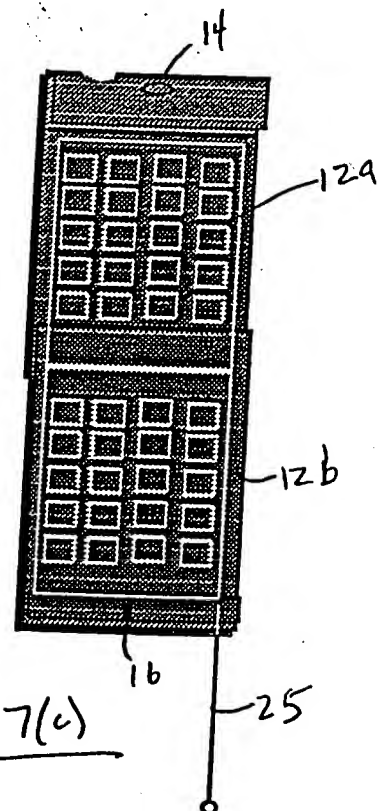


Fig. 7(c)

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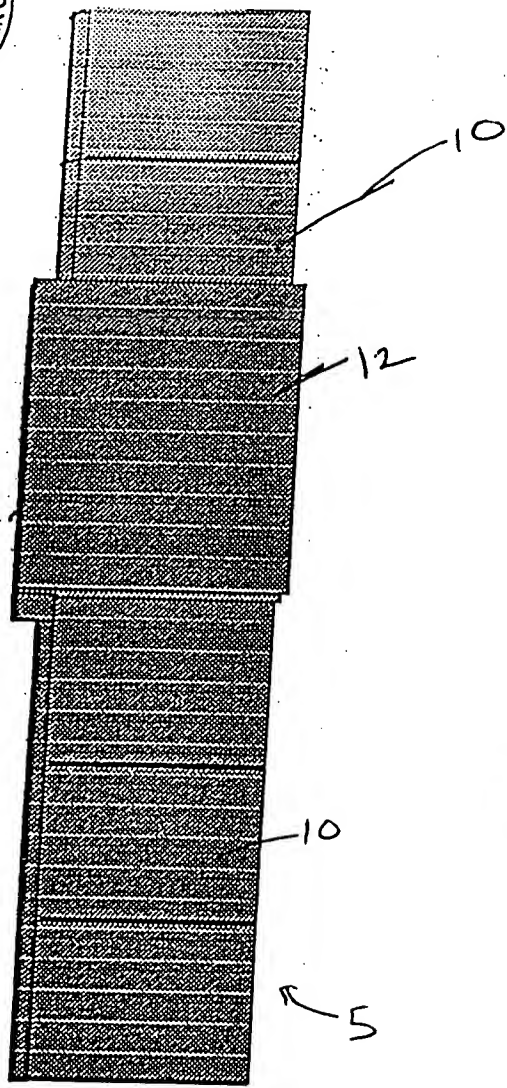


Fig. 8(a)

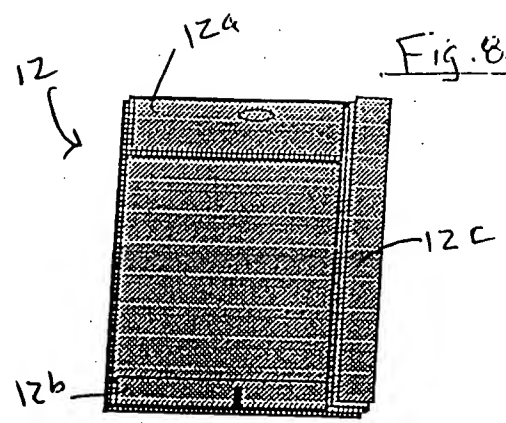


Fig. 8(b)

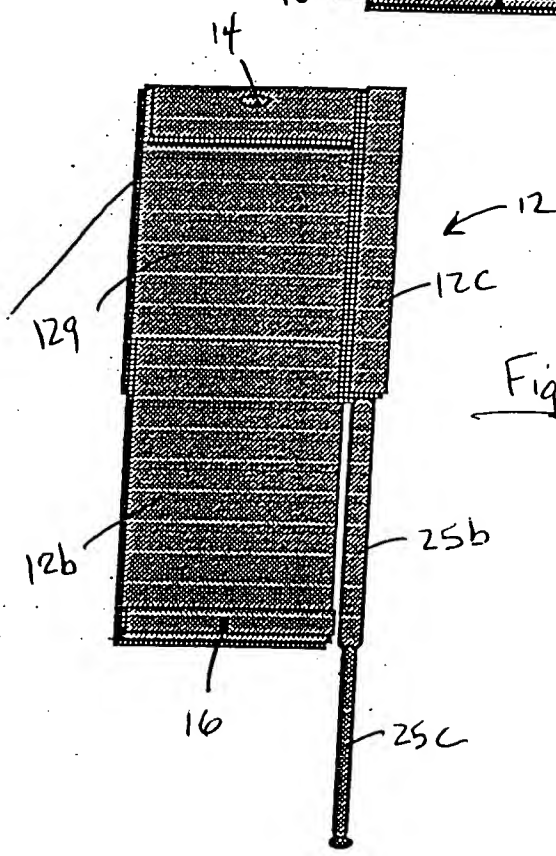
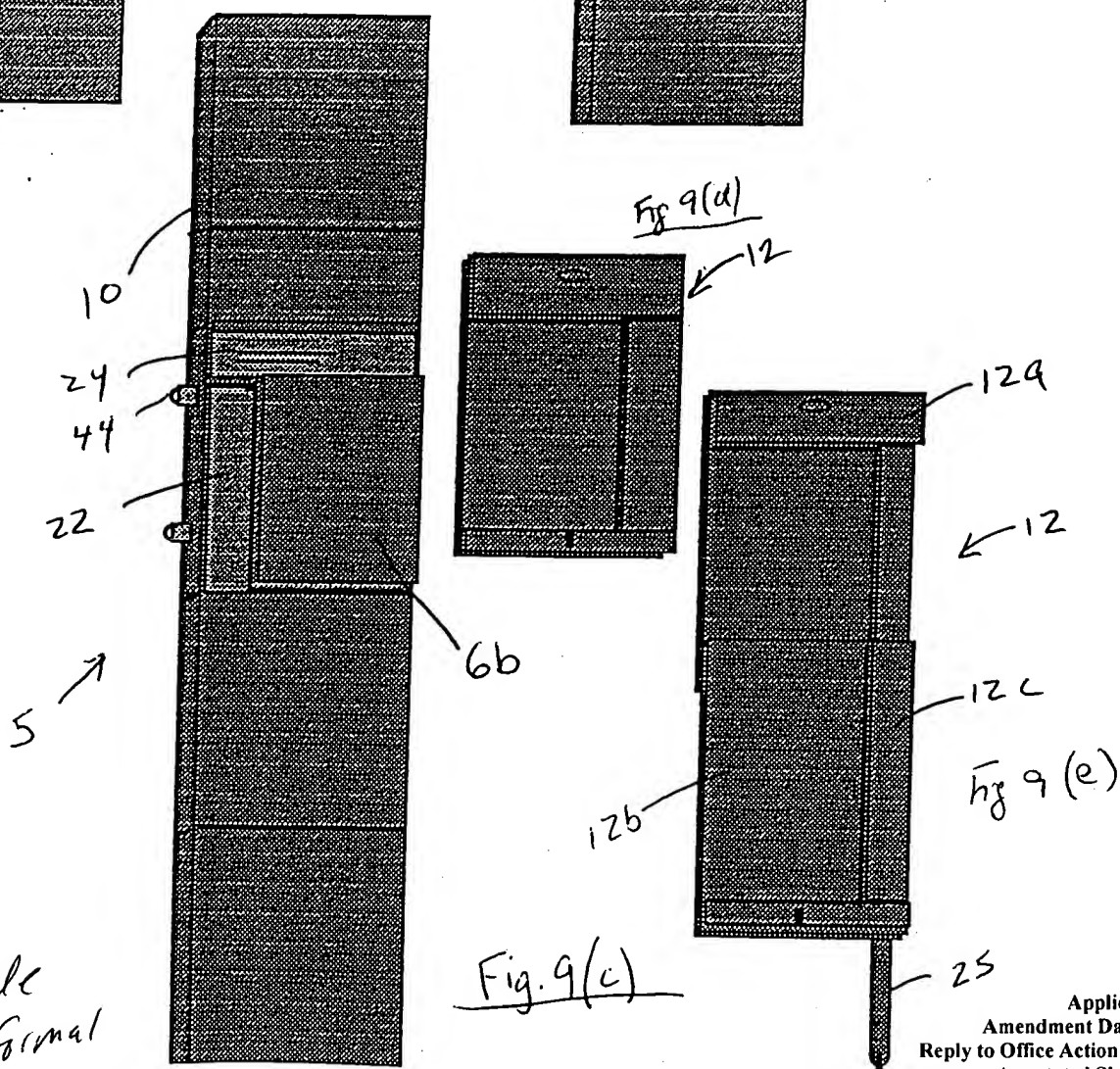
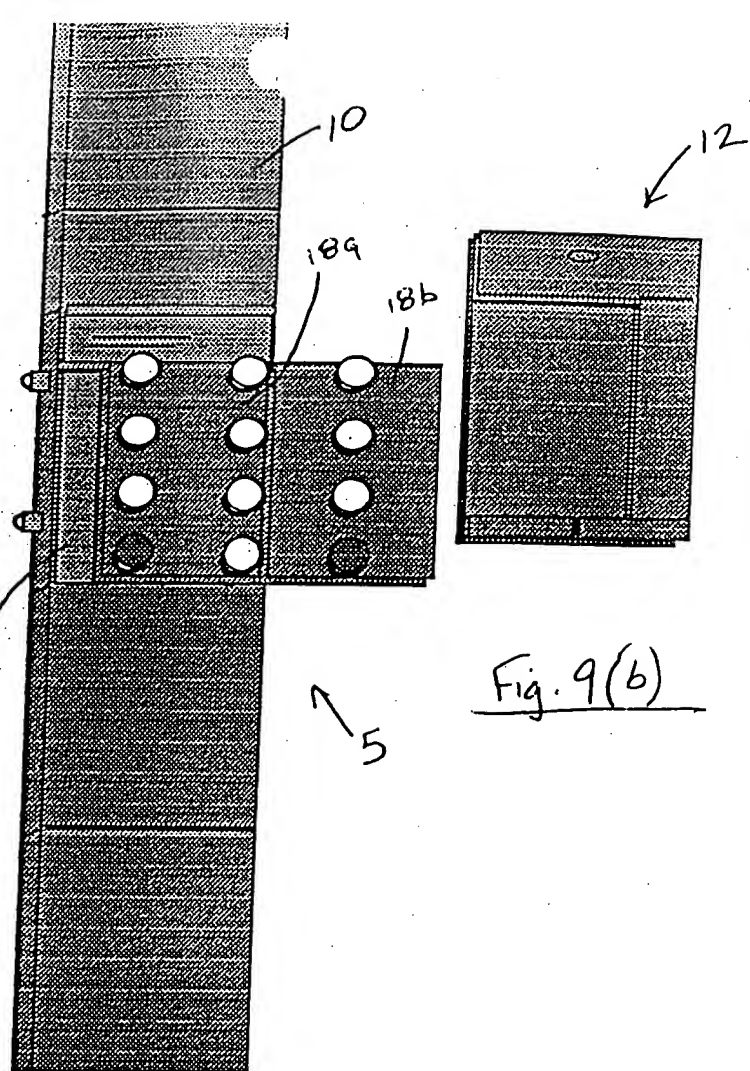
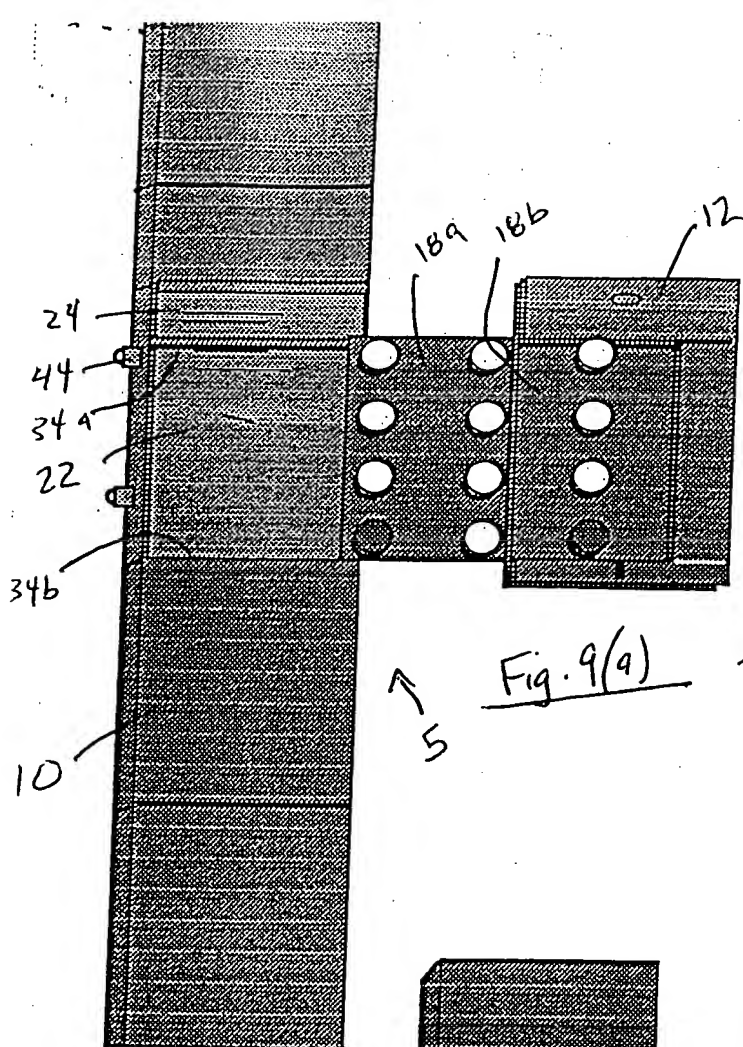


Fig. 8(c)

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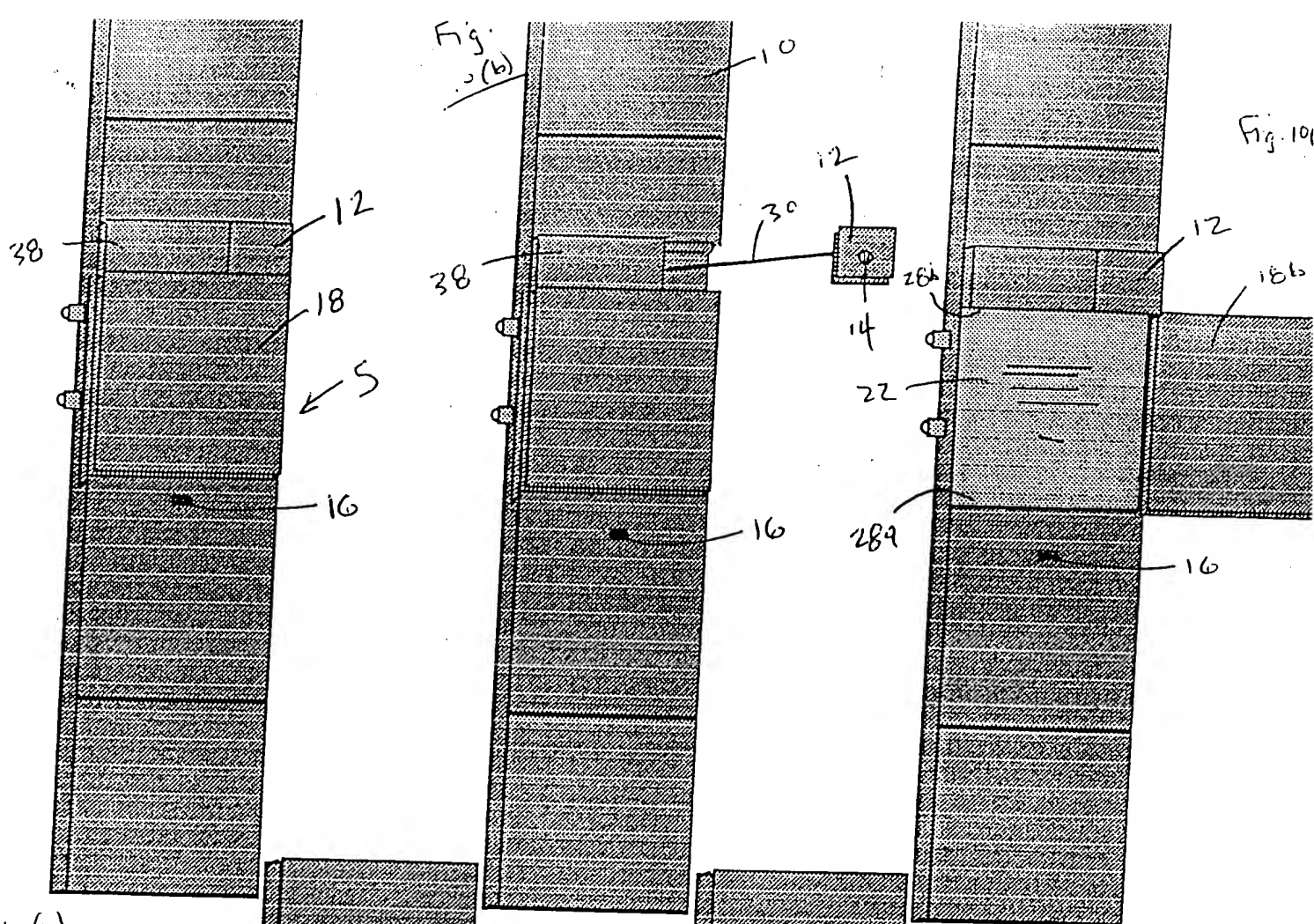
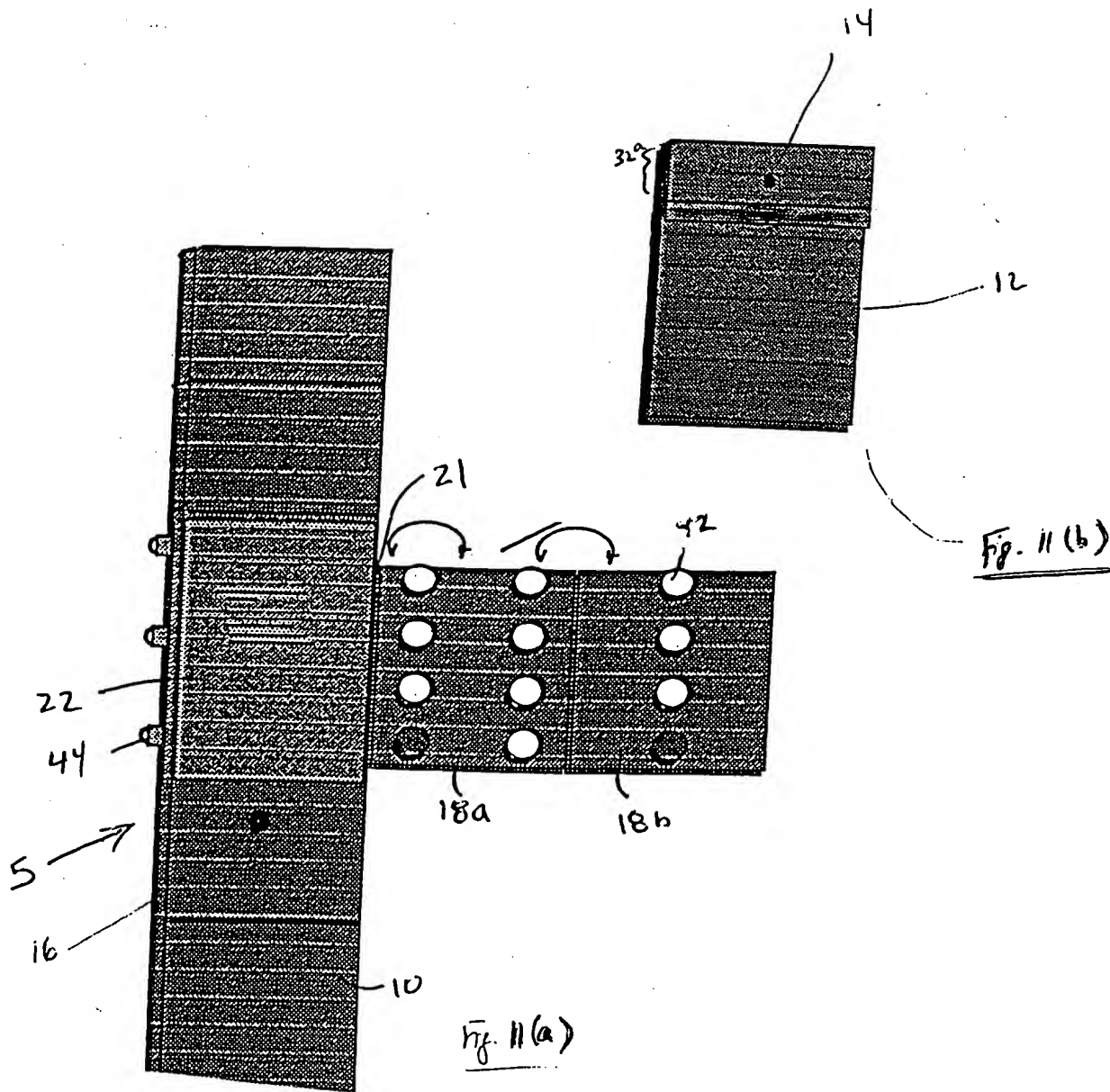


Fig. 10(a)

Fig. 10(c)

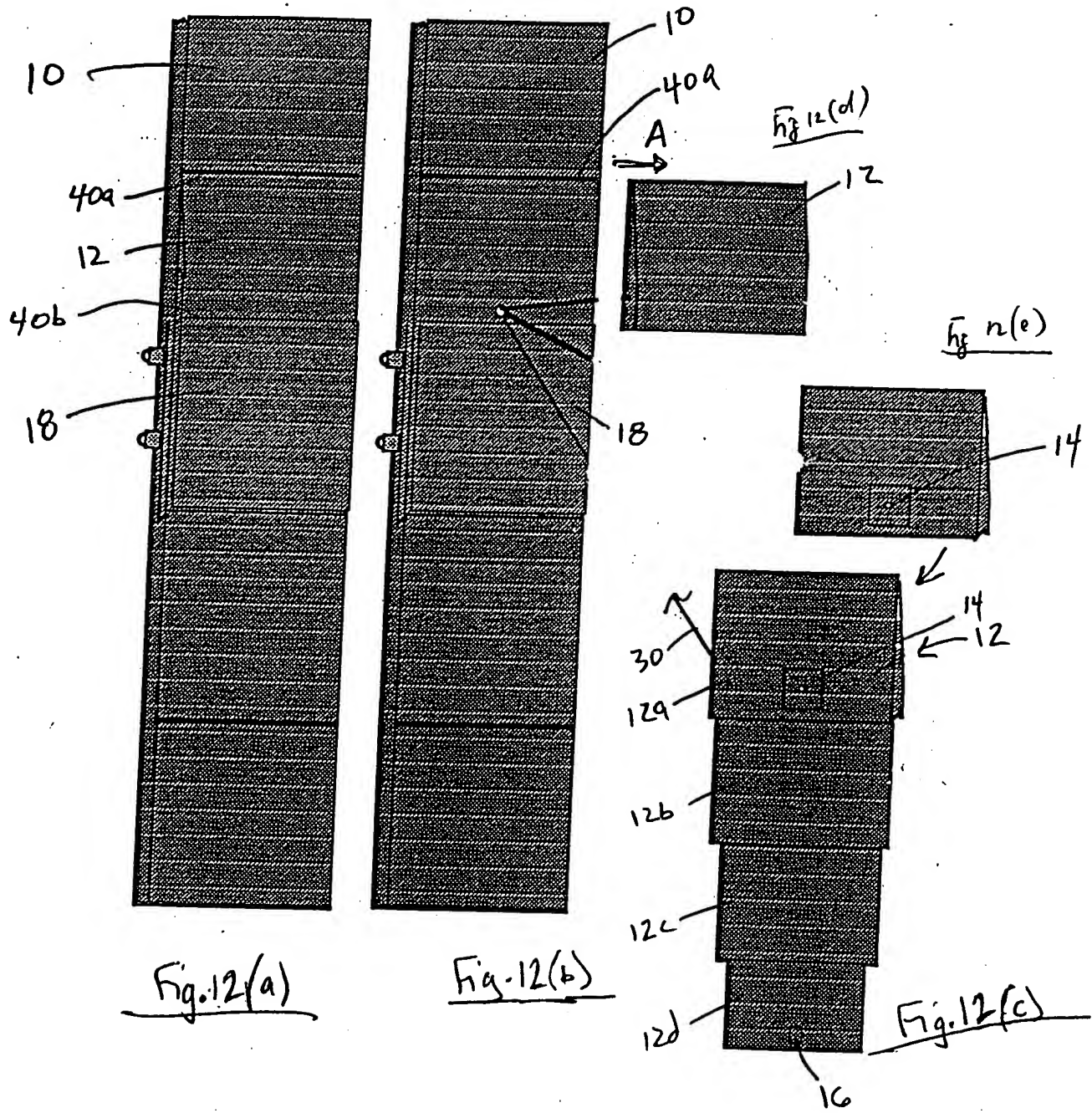
Fig. 10(e)

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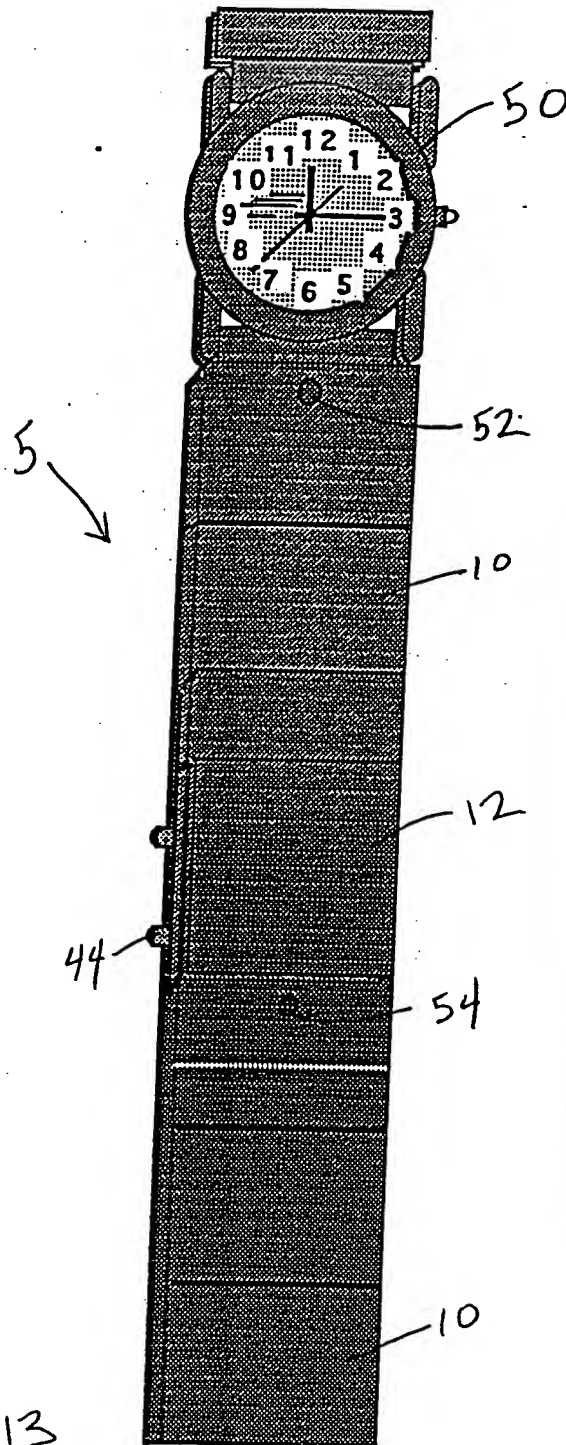


Figure 13

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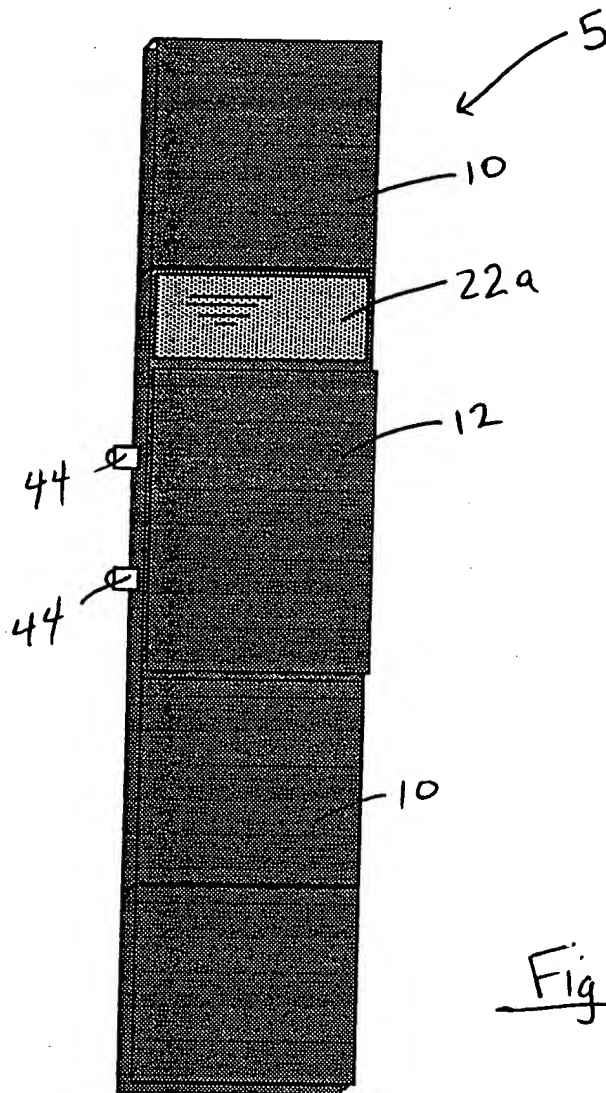


Fig. 14

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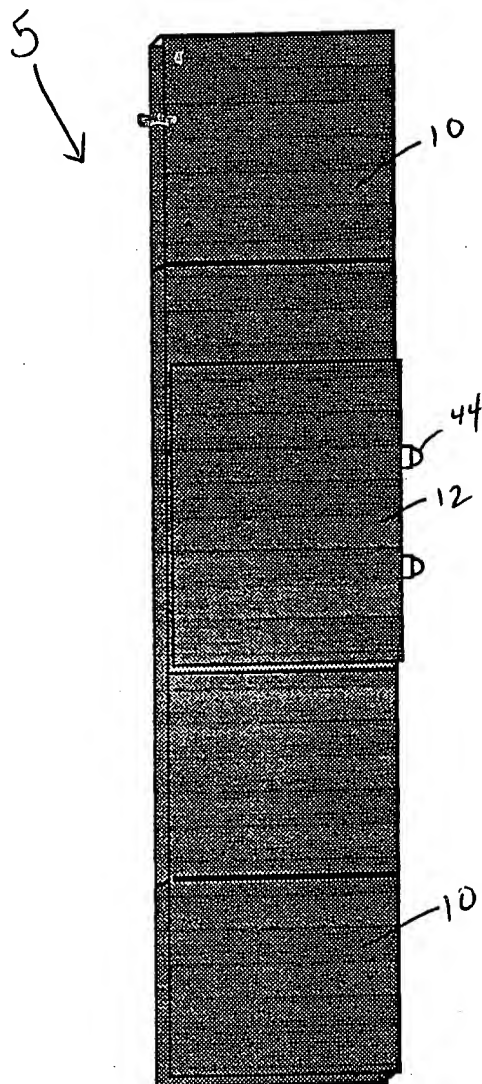


Fig. 15/4)

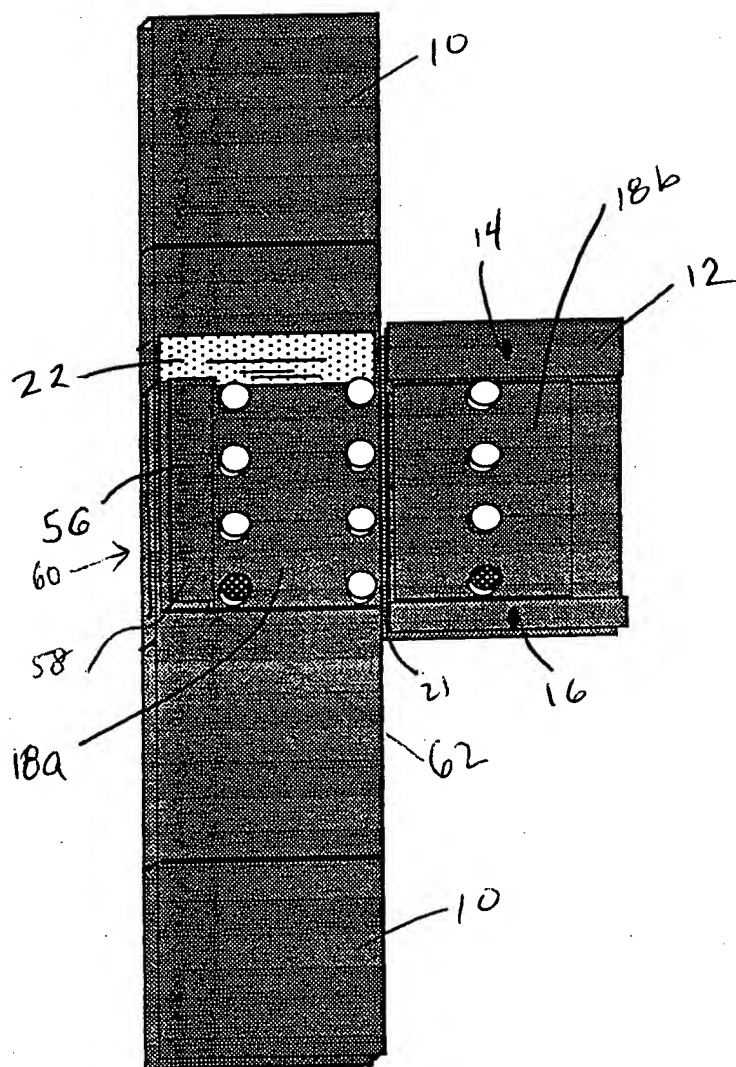


Fig. 15(b)

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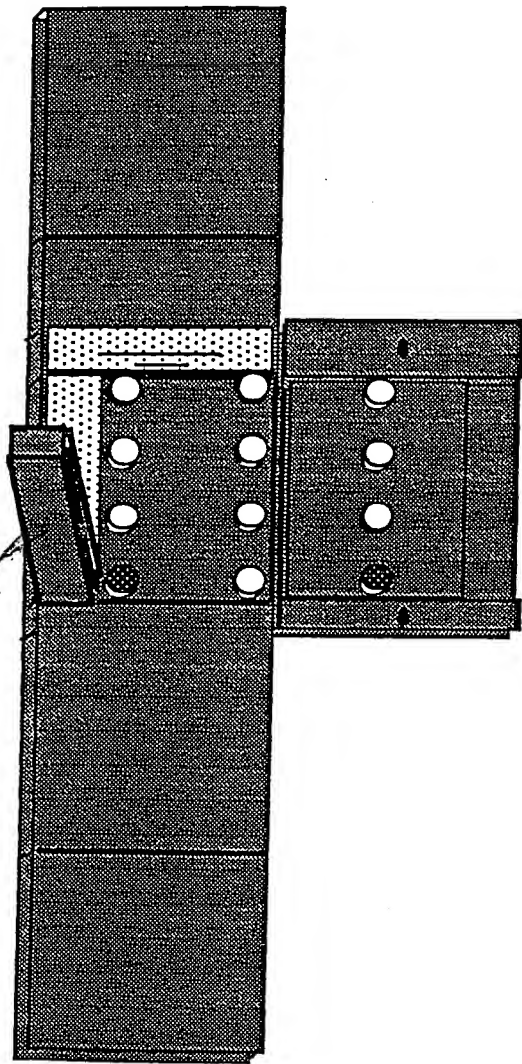


Fig. 15(c)

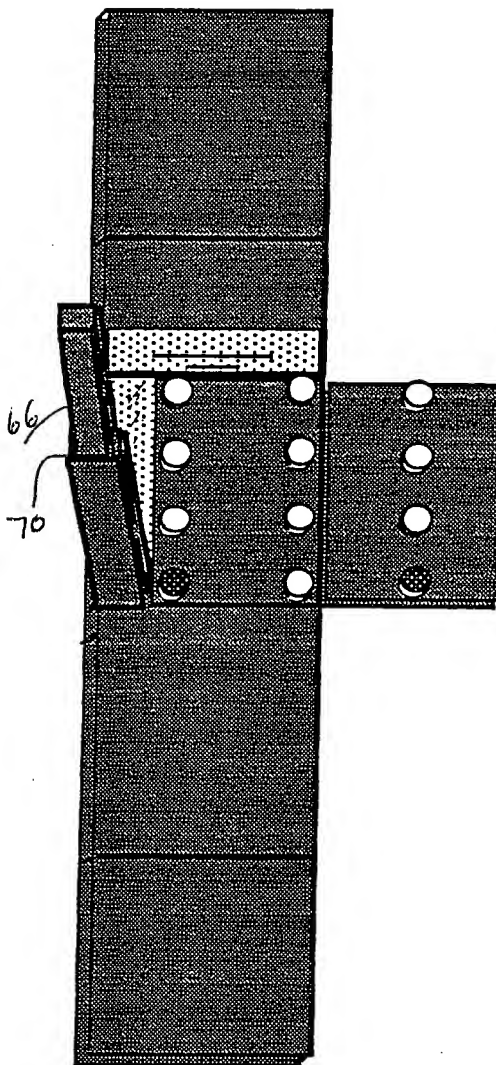


Fig. 15(d)

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Fig. 15(e)

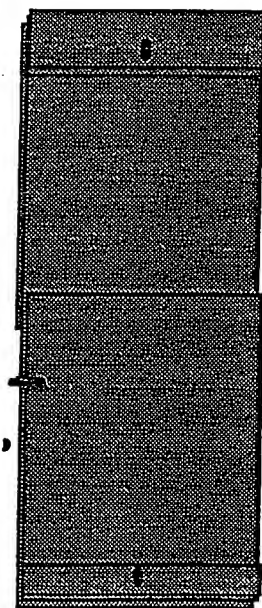
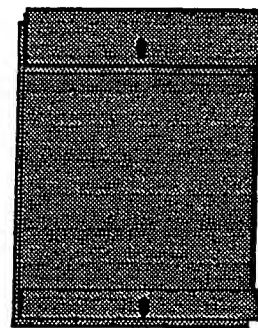


Fig. 15(f)

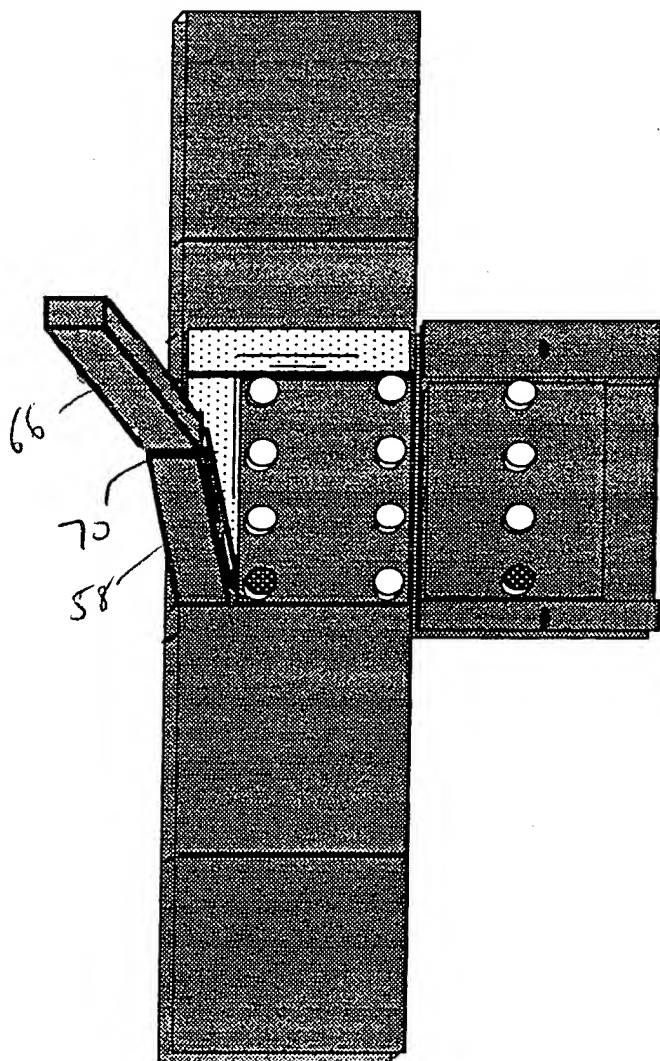


Fig 16(a)

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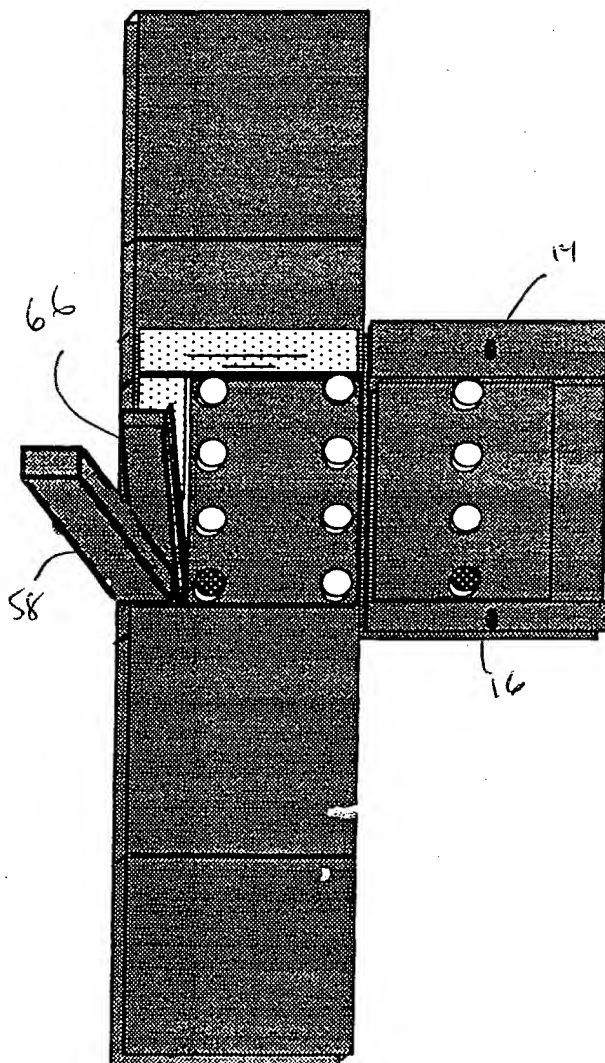


Fig 16(b)



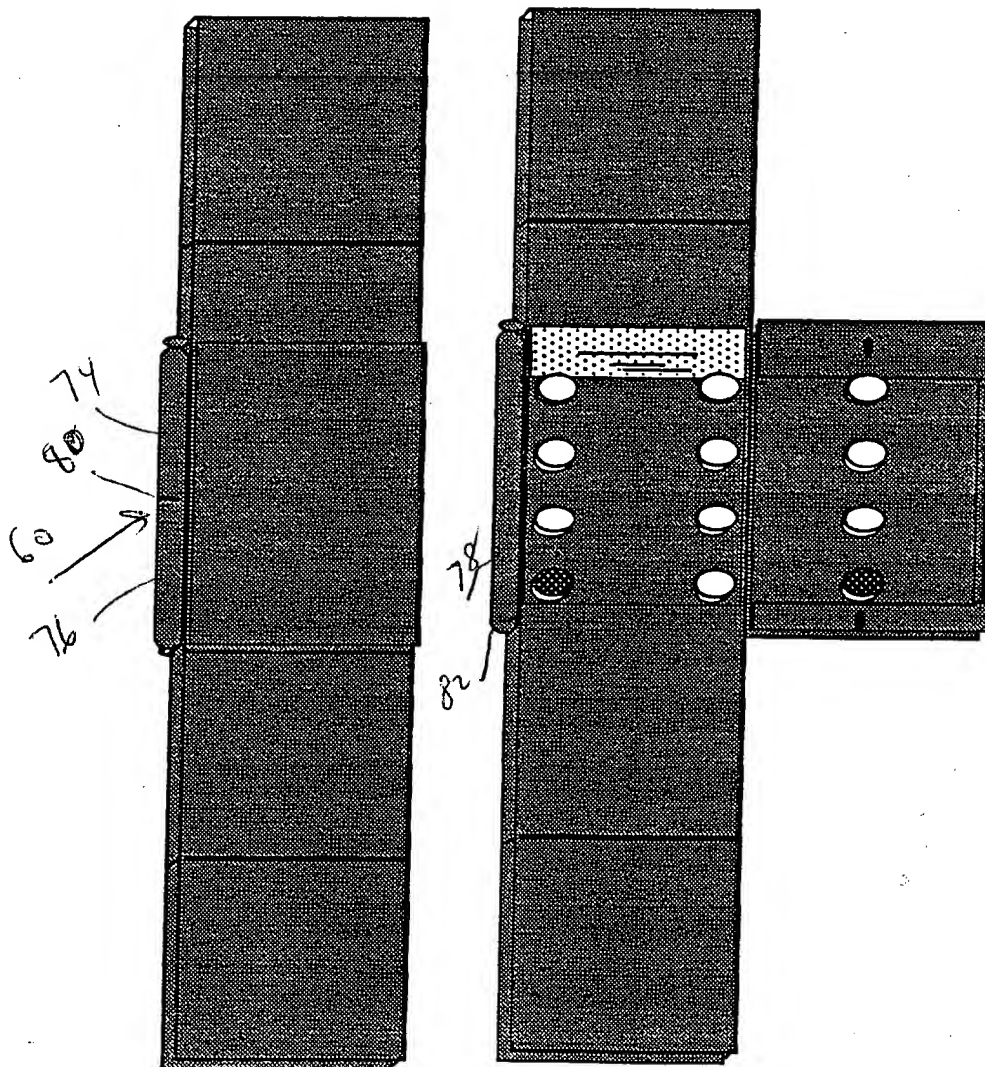


Fig. 17(a)

Fig. 17(b)

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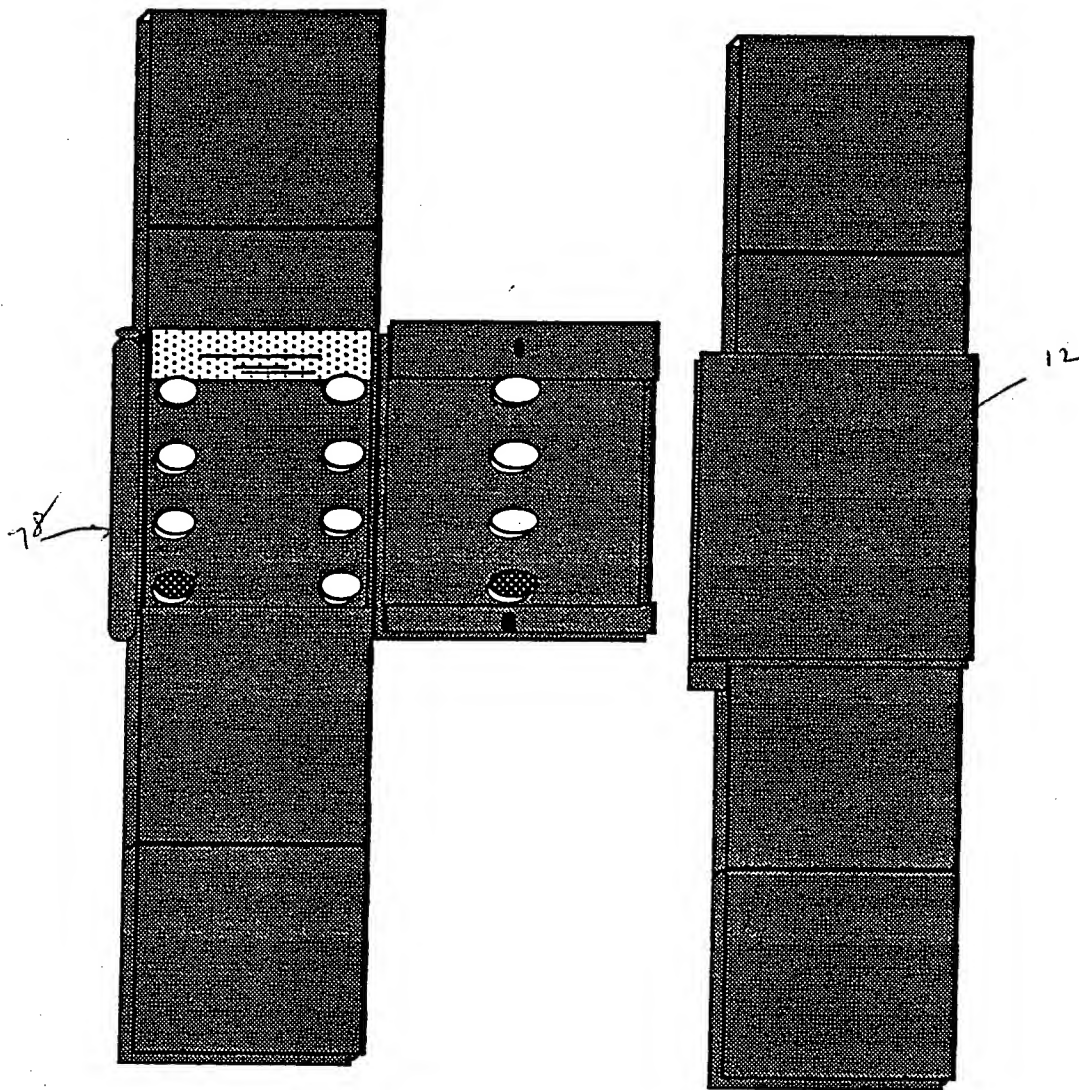


Fig. 18(a)

Fig. 18(b)

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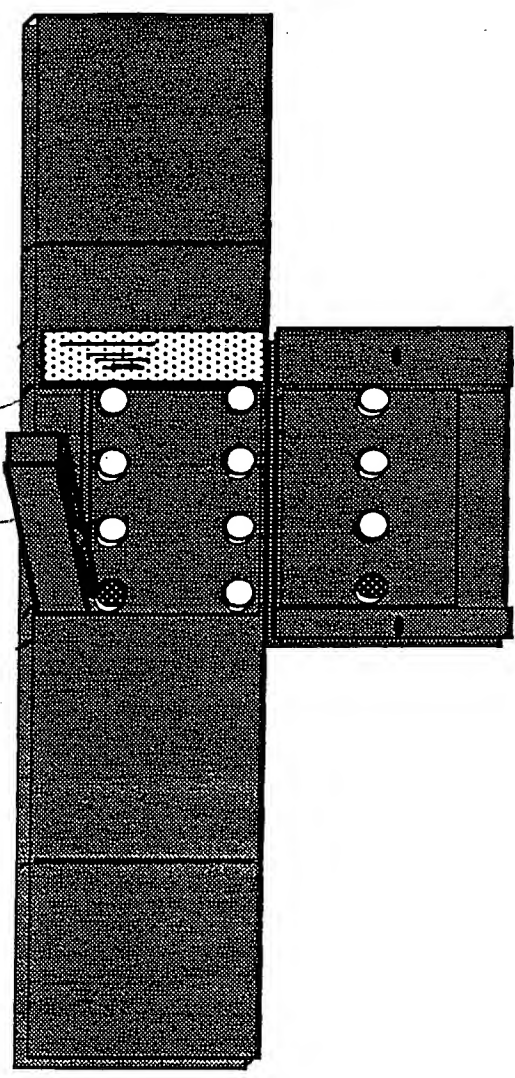


Fig. 19(a)

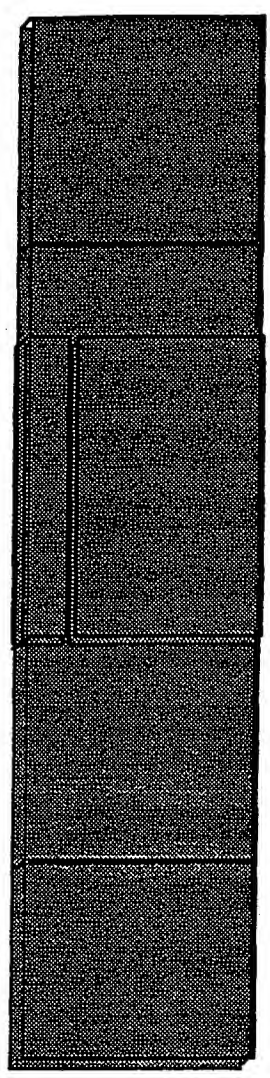


Fig. 19(b)

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